

## **EXHIBIT 1**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
FOX NEWS NETWORK, LLC,

Index No. \_\_\_\_\_

Plaintiff,

v.

ABBY GROSSBERG,

Defendant.

**AFFIDAVIT OF PAUL SALVATY  
IN SUPPORT OF EMERGENCY  
APPLICATION FOR TRO AND  
PRELIMINARY INJUNCTION**

-----X

I, Paul Salvaty, an attorney duly admitted to practice in the courts of the State of California, affirms subject to the penalties of perjury, the following to be true:

1. I am a partner with the law firm of Winston & Strawn LLP and counsel of record for Fox News Network, LLC ("Fox News") in an unrelated lawsuit that was filed against Fox News in March 2021 ("Unrelated Lawsuit"). I am fully acquainted with the facts of the Unrelated Lawsuit.

2. I have personal knowledge of the facts herein, or am so informed, and I submit this Affirmation in support of Fox News' Emergency Application for Temporary Restraining Order and Preliminary Injunction in the above matter.

3. In connection with the Unrelated Lawsuit, Abby Grossberg was identified as a potential custodian of relevant documents and as a fact witness because of her role as a Fox News employee. Ms. Grossberg was deposed in the Unrelated Lawsuit in the fall of 2022.

4. When Ms. Grossberg was identified as a potential document custodian and fact witness, we interviewed her as part of our document collection efforts and as part of our fact investigation concerning the Unrelated Lawsuit. Further, once Ms. Grossberg was identified as a deponent, we had several meetings with her in August and September of 2022 in advance of her deposition. Inside and outside counsel, along with Ms. Grossberg, were the only individuals

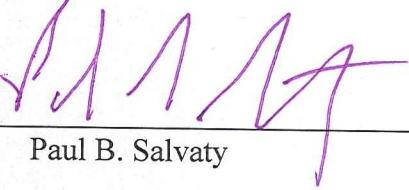
present during these meetings. During these conversations, we explained to Ms. Grossberg that we were counsel for Fox News and did not represent Ms. Grossberg in her individual capacity. We also explained to Ms. Grossberg that our conversations were protected by the attorney-client privilege and must be kept confidential.

5. The purpose of these meetings was to gather information to assist us in providing legal advice to Fox News and to assist us in building our defense of the case, as well as to prepare for Ms. Grossberg's deposition. These sessions were aimed at further developing a legal strategy and defense to the claims alleged against Fox News in the Unrelated Lawsuit and ultimately providing Fox News with legal advice.

6. At no time during these meetings, did we or Fox News' in-house attorneys represent Ms. Grossberg. In fact, from the outset and periodically throughout these meetings, we again explicitly explained to Ms. Grossberg that we represented Fox News and not her in her individual capacity. We also again explained that the sessions were subject to the attorney-client privilege and must be kept confidential.

Executed: March 20, 2023  
New York, New York

By:

  
Paul B. Salvaty

Sworn to and subscribed before me by means of  physical presence or  online notarization, this 20<sup>th</sup> day of March, 2023, by Daphney Charlemagne.

  
Notary Public, State of NEW YORK

DAPHNEY CHARLEMAGNE  
NOTARY PUBLIC, State of New York  
No. 01CH6096278  
Qualified in Nassau County  
Certificate Filed in New York County  
Commission Expires: August 28, 2023

DAPHNEY CHARLEMAGNE  
[PRINT, TYPE, OR STAMP NAME OF NOTARY PUBLIC]

Personally Known  OR Produced Identification \_\_\_\_\_  
[CHECK ONE]

Type of Identification Produced: \_\_\_\_\_  
[COMPLETE ONLY IF NOTARY REQUESTED IDENTIFICATION]